



LAHIVE  
&  
COCKFIELD  
L L P

COUNSELLORS AT LAW  
28 STATE STREET  
BOSTON, MASSACHUSETTS 02109-1784  
TELEPHONE (617) 227-7400  
FAX (617) 742-4214  
lc@lahcoc.com

JOHN A. LAHIVE, JR. (1928-1997)  
THOMAS V. SMURZYNSKI  
RALPH A. LOREN  
GIULIO A. DeCONTI, JR.  
ANN LAMPORT HAMMITTE  
ELIZABETH A. HANLEY  
AMY BAKER MANDRAGOURAS  
ANTHONY A. LAURENTANO  
KEVIN J. CANNING  
JANE E. REMILLARD  
JEANNE M. DIGIORGIO  
DEBRA J. MILASINCIC, Ph.D.  
NICHOLAS P. TRIANO, III  
WILLIAM D. DeVAUL

CHI SUK KIM  
DAVID J. RIKKERS  
DAVID R. BURNS  
JOHN S. CURRAN  
SEAN D. DETWEILER  
ADAM M. GOODMAN \*

SENIOR COUNSEL  
JAMES E. COCKFIELD

OF COUNSEL  
JEREMIAH LYNCH  
WILLIAM A. SCOFIELD, JR.  
PETER C. LAURO \*  
DeANN FORAN SMITH\*\*

\* Admitted in NY only  
\*\* Admitted in MI only  
\*\*\* Passed the Patent Bar Examination

PATENT AGENTS  
MEGAN E. WILLIAMS, Ph.D.  
PETER S. STECHER

TECHNICAL SPECIALISTS  
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.\*\*\*  
CYNTHIA M. SOROOS  
PETER W. DINI, Ph.D.  
EUIHOON LEE  
LISA M. DIROCCO  
JENNIFER K. ROSENFELD  
JUDITH STONE-HULSLANDER, Ph.D.  
ALLAN TAMESHTIT, Ph.D.  
CATHERINE E. McPHERSON  
RICHA NAND  
GARY W. PLOURDE II  
ERIC F. WAGNER, Ph.D.

SECRET

December 20, 2000

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No.: 09/653,730  
Entitled: *Quorum Sensing Signaling in Bacteria*  
Filed: September 1, 2000  
Inventors: Marvin Whiteley, et al.  
Our Reference: UIZ-038

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice to File Missing Parts (in duplicate);
2. Two executed Declarations, Petitions and Powers of Attorney;
3. A copy of the Formalities Letter;
4. Check in the amount of \$2,868.00 (surcharge, filing fee, additional claim fee, and multiple dependent claim fee);
5. Check in the amount of \$110.00 (extension fee);
6. Request for One-Month Extension of Time (in duplicate); and
7. Return receipt postcard.

No additional costs are believed to be due in connection with the filing of this response. However, please charge any underpayment or credit any overpayment of fees in connection with the enclosed response to our Deposit Order Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. For this purpose, a duplicate of this sheet is attached.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231 on:

December 20, 2000

Date

Peter C. Lauro, Reg. No. 32,360

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Peter C. Lauro

Registration No. 32,360

Attorney for Applicants



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Whiteley, M. *et al*

Serial No.: 09/653,730

Filed: September 1, 2000

For: QUORUM SENSING SIGNALING IN BACTERIA

Attorney Docket No.: UIZ-038

Group Art Unit: 1645

Examiner:

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box Missing Parts

**Certificate of First Class Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on the date set forth below.

December 20, 2000

Date of Signature and of Mail Deposit

By:

Peter C. Lauro

Reg. No. 32,360

Attorney for Applicants

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
PROVISIONAL APPLICATION**

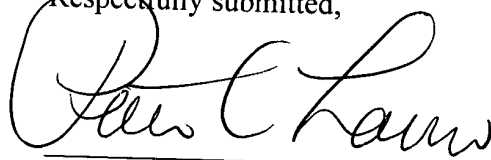
Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application dated October 18, 2000, Applicants submit herewith 2 executed Declarations, Petitions and Powers of Attorney for the above-identified patent application. A check in the amount of \$2,868.00 is enclosed to cover the total amount owed by Applicants, including \$130.00 surcharge, \$710.00 basic filing fee, \$1,758.00 additional claim fee, \$270.00 multiple dependent claim fee, based on large entity status. A copy of the Formalities Letter is also enclosed. A Request for a One-Month Extension of Time is being filed concurrently herewith.

Applicants' attorney notes that the claim fee calculation in the Formalities Letter is incorrect. We calculate **71** total claims over 20, and **6** independent claims over 3.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

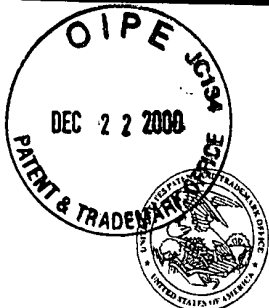
Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Peter C. Lauro", written over a horizontal line.

Peter C. Lauro  
Registration No. 32,360  
Attorney for Applicants

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, MA 02109  
Tel. (617) 227-7400

Dated: December 20, 2000



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/653,730	09/01/2000	Marvin Whiteley	UIZ-038

959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

## FORMALITIES LETTER



\*OC000000005482494\*

Date Mailed: 10/18/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 345 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$868.
  - \$504 for 56 total claims over 20.
  - \$234 for 6 independent claims over 3 .
  - \$130 for multiple dependent claim surcharge.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1278.

*A copy of this notice MUST be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

file:///C:/APPS/PreExam/correspondence/2\_B.xml

12/27/2000 KZEWDIE 00000053 09653730  
710.00 00  
130.00 00  
480.00 00  
1098.00 00  
270.00 00  
270.00 00  
31 FC:101  
32 FC:105  
03 FC:102  
04 FC:103  
05 FC:104  
06 FC:109  
10/17/00